

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

REAL ESTATE DEPARTMENT

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 28, Real Estate Department
Article and its heading: 13, Hearings: Rules of Practice and Procedure
Section numbers: R4-28-1301 through R4-28-1313
2. **Subject matter of the proposed rules:**
Article 13 is amended to reflect the advent, functions, and responsibilities of the Office of Administrative Hearings.
The agency docket number, if applicable:
96-01
3. **A citation to all published notices relating to the proceeding:**
None.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Edwin J. Ricketts, Deputy Commissioner

Address: Real Estate Department
2910 North 44th Street, First Floor
Phoenix, Arizona 85018

Telephone: (602) 468-1414, extension 135
Fax: (602) 468-0562
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
Submission of written comments may be made during normal business hours to the contact person listed above until the close of record, which has not been determined. The specific date for the close of record will be set forth in the Notice of Proposed Rule-making and published in the Register. At the present time, the exact date of a public hearing, if any, has not been set.
6. **A timetable for agency decisions or other action in the proceeding:**
Unknown.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 22, Arizona Health Care Cost Containment System - Administration
Article and its heading: 4, Contracts
Section numbers: R9-22-401 through R9-22-406
2. **Subject matter of the proposed rules:**
The Administration is revising Article 4 of the AHCCS (acute care) rules, implementing recommendations made in a recent 5-year rule review. The changes are non-substantive and are intended to eliminate redundancy, clarify language, to be consistent with current policies, clarify terminology, and ensure references and distinctions between categorical and non-categorical eligible persons are accurate.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Debi Wells

Address: AHCCCS Administration, Office of Policy Analysis and Coordination
801 East Jefferson Street, Mail Drop #4200
Phoenix, Arizona

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Telephone: (602) 417-4781

Fax: (602) 256-6756

5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Administration will accept written comments sent to the address indicated above. Public hearing dates, if any, have yet to be determined.
6. **A timetable for agency decisions or other action in the proceeding:**
Initiate proposed rulemaking in 1996.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 28, Arizona Health Care Cost Containment System (AHCCCS) - Arizona Long-term Care System (ALTCS)
Article and its heading: 4, Eligibility and Enrollment
Section number: R9-28-408
2. **Subject matter of the proposed rules:**
The Administration is proposing a new rule to set forth AHCCCS policy concerning treatment of trusts, particularly those given exempt status from consideration as an available asset or available income for ALTCS eligibility determinations.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Debi Wells
Address: AHCCCS Administration, Office of Policy Analysis and Coordination
801 East Jefferson Street, Mail Drop #4200
Phoenix, Arizona
Telephone: (602) 417-4781
Fax: (602) 256-6756
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated above. Public hearings will be scheduled later, during which oral comments may be presented.
6. **A timetable for agency decisions or other action in the proceeding:**
The agency intends to hold public hearings later in 1996.

NOTICE OF RULEMAKING DOCKET OPENING

GAME AND FISH COMMISSION

1. **Title and its heading:** 12, Natural Resources
Chapter and its heading: 4, Game and Fish Commission
Articles and their headings: 2, Miscellaneous Licenses and Permits
5, Boating and Water Sports
Section numbers: R12-4-203, R12-4-218, R12-4-501, R12-4-502, R12-4-503, R12-4-505, R12-4-510, and R12-4-517.
2. **Subject matter of the proposed rules:**
R12-4-203 would be a new rule to implement the national Harvest Information Program. R12-4-218 would be amended or repealed in conjunction with this. R12-4-501 would be amended to change or add definitions. Amendments to R12-4-503 would simplify procedures for renewal of watercraft registration. R12-4-505 would address assignment of hull identification numbers. R12-4-510 would address issuance of refunds for renewals of watercraft registration. R12-4-517 would address watercraft and boat engine restrictions.
3. **A citation to all published notices relating to the proceeding:**
None.

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4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Susan L. Alandar, Administrative Services Manager
Address: Game and Fish Department
2221 West Greenway Road DOAS
Phoenix, Arizona 85023
Telephone: (602) 789-3299

5. **The time during which written submissions may be made and the time and place where oral comments may be made:**

The Commission will accept written comments Monday through Friday between 8 a.m. and 5 p.m. The schedule for oral proceedings is to be determined and will be published when scheduled.

6. **A timetable for agency decisions or other action in the proceeding:**

To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 9, Department of Environmental Quality - Water Pollution Control
Article and its headings: 1, Aquifer Protection Permits
Section numbers: R18-9-105 and R18-9-128

2. **Subject matter of the proposed rules:**

This rulemaking repeals the aquifer protection permit (APP) program's general permit for the land application of wastewater sludge. The rulemaking establishes a class exemption from the APP program for land application of biosolids (relatively pollutant-free sewage sludge) that meets the requirements found in 18 A.A.C. 13, Article 15.

The repealed rule (R18-9-128) has regulated the land application of sewage sludge (biolsolids) on agricultural lands in order to ensure the protection of groundwater quality. Another rulemaking created 18 A.A.C. 13, Article 15, therefore, this rulemaking repeals R18-9-128. The rules found in 18 A.A.C. 13, Article 15, regulate biosolids on any lands in Arizona, including agricultural sites. R18-9-105 is amended to expressly show the class exemption from the APP program.

To clarify that the land application of biosolids is not regulated by both the Water Quality Division and the Waste Programs Division, this rulemaking exempts land-application activities which comply with the new biosolids rules from also having to comply with APP requirements. A.R.S. § 49-250 authorizes a class exemption from APP, if the ADEQ director finds either that there is no reasonable probability of degradation of the aquifer, or that aquifer water quality will be maintained and protected because the discharges are regulated under another program that provides the same or greater aquifer water quality protection. The biosolids rules found in R18-13-1501 *et seq.* contain requirements that maintain and protect aquifer water quality by reducing the probability and regulating discharges.

3. **A citation to all published notices relating to the proceeding:**

The repeal of this rule appeared in 1 A.A.R. 864, June 30, 1995.

4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**

Primary Contact:

Name: Lynn Keeling
Address: Department of Environmental Quality
3033 North Central Avenue, 8th Floor
Phoenix, Arizona 85012
Telephone: (602) 207-2223 or (800) 234-5677 (Arizona only)
Fax: (602) 207-2251

Secondary Contact:

Name: Martha Seaman
Address: Department of Environmental Quality
3033 North Central Avenue, 8th Floor
Phoenix, Arizona 85012
Telephone: (602) 207-2222 or (800) 234-5677 (Arizona only)
Fax: (602) 207-2251

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5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
ADEQ has scheduled a public hearing as follows:

Date: June 18, 1996
Time: 9 a.m.
Location: Department of Environmental Quality
Room 180
3300 North Central Avenue
Phoenix, Arizona

Please call (602) 207-4795 for special accommodations pursuant to the Americans with Disabilities Act.

The close of record for public comment is June 21, 1996.

6. **A timetable for agency decisions or other action in the proceeding:**
At this time, it is anticipated that proposed rules will be published in this issue of the *Register*.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA STATE LOTTERY COMMISSION

1. **Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming
Chapter and its heading: 3, Arizona State Lottery Commission
Article and its headings: 3, Instant Lottery Games
Section number: R19-3-301
2. **Subject matter of the proposed rules:**
For the purpose of creating a generic rule format for instant games, this revised rule will explain the components of instant games: game profiles, game playstyles, how to identify a winning ticket, the procedures required to claim prizes and the claim period, ticket ownership, ticket validation, termination of an instant game, contest drawings, the procedures regarding a dispute of an instant ticket, retailers' responsibilities and incentives, and promotional tickets.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Sandy Williams, Executive Director
Address: Arizona State Lottery Commission
4740 East University Drive
Phoenix, Arizona 85034
Telephone: (602) 921-4400
Fax: (602) 921-4400
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Commission will accept written comments between 8 a.m. and 5 p.m. Monday through Friday (except state holidays).
The Commission will accept oral comments between 8 a.m. and 4:30 p.m. Monday through Friday (except state holidays) at the address listed above.
6. **A timetable for agency decisions or other action in the proceeding:**
None at this time.